

12. Summary of Master's degree thesis in English

Insurance fraud

In my Master's degree thesis I was dealing with insurance fraud. Insurance fraud is no doubt as old as insurance itself and has been considered as part of the insurers trade risk. However, it has lately grown in importance until it has become a threat to the soundness of insurance markets.

In the Czech republic, this situation has led to the adoption of legislative amendments in 1997, inserting a new section, § 250a, specifying insurance fraud, into the Criminal Code. Insurance fraud was one of the main topics of work section of insurance fraud in Czech Bureau of Insurance. After that situation has changed. Bodies active in criminal proceedings started take this problem more seriously. People began to become aware of the seriousness of the problem. Especially how much it costs.

In the beginning of my thesis I present motives to me to keep writing it and briefly describe the contents of individual chapters of the thesis.

In the second part, I return to the circumstances in which the merits of the Act No. 140/1961 Coll., and briefly describe the changes as facts, which brought a new criminal code.

The third part is focused on buildings criminal insurance fraud. In particular, describe in detail the various merits of individual buildings insurance fraud in § 210 paragraph 1., and § 210 paragraph 2., of the Criminal Law.

In part four I describe the objective aspect of insurance fraud. For better understanding here I describe the various instruments of insurance law, such types of insurance and insurance contracts and what prevents the payment of indemnity for claims incurred.

In the fifth part I describe the offender insurance fraud, divided the offender on the offender of the internal and external. Again, for a better understanding of the problem of internal and external perpetrators I described in detail some of the other subjects of insurance law such as an insured person, appointed person and other persons involved in committing this crime. Also the Insurance companies, Reinsurance co., Claims adjusters and Insurance intermediaries.

In the sixth section I describe the subjective aspects of the crime of insurance fraud. For an offender is a necessary condition for its willful misconduct, and the least intention of event.

In the seventh time I am concerned with the detail the measures that are available to insurers in their fight against insurance fraud. These methods are divided into the measures under the insurance focused inward and external measures.

In the eighth section I discuss some differences in investigative procedures of insurance fraud such as the questioning of a witness and a representative of the victim in the examination of written evidence and questioning suspects.

In the last section entitled Finally I analyze the lessons arising from my thesis and I mention some of the considerations de lege ferenda.